

FILED

JAN 31 2018

U.S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALAN JOHNSON,

Defendant.

**4:18CR00071 AGF**

**INFORMATION**

The United States Attorney charges that:

**COUNT 1**

**[MAIL FRAUD CONSPIRACY: 18 U.S.C. § 1349]**

**INTRODUCTION**

1. Beginning in or about 2008 and continuing until in or about December of 2014, in the Eastern District of Missouri, **ALAN JOHNSON**, the defendant herein, and other conspirators, both known and unknown, did knowingly and willfully combine, conspire, confederate and agree with each other and others known and unknown, to commit the following offense against the United States:

- a. To devise and intend to devise a scheme to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing the scheme described above, and attempting to do so, to cause to be sent or delivered by any private or commercial interstate carrier, or knowingly cause to be delivered by mail or such carrier

according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, in violation of Title 18, United States Code, Section 1341.

### **MANNER AND MEANS**

The ways, manner and means by which the foregoing objective of the conspiracy to commit mail fraud were to be accomplished included, but were not limited to, the following:

2. The primary purpose of the conspiracy was for the defendant fraudulently to obtain kickback payments from vendor company Controls Plus, with which the defendant's employer, BMI, had business dealings.
3. It was a part of the conspiracy that vendor company Controls Plus conspired with the defendant to supply industrial equipment to BMI.
4. It was further a part of the conspiracy that Controls Plus submitted invoices, reflecting fraudulently inflated equipment costs, to BMI by means of a private carrier who travelled in interstate commerce.
5. It was further a part of the conspiracy that "BW," the owner of Controls Plus, would pay the defendant a kickback payment reflecting 10 to 20 percent of the invoiced amount charged by Controls Plus.
6. It was further a part of the conspiracy that Controls Plus issued approximately \$150,000 in payments to the defendant as part of the kickback plan.

All in violation of Title 18, United States Code, Section 1349.

DATED: 1/4/18

JEFFREY B. JENSEN

United States Attorney

Gwendolyn E. Carroll  
Gwendolyn E. Carroll  
Assistant United States Attorney

UNITED STATES OF AMERICA     )  
EASTERN DIVISION                )  
EASTERN DISTRICT OF MISSOURI )

I, Gwendolyn E. Carroll, Assistant United States Attorney for the Eastern District of  
Missouri, being duly sworn, do say that the foregoing information is true as I verily believe.

Gwendolyn E. Carroll  
GWENDOLYN E. CARROLL

Subscribed and sworn to before me this 4 day of January 2018.

Gregory Linhares  
CLERK, U.S. DISTRICT COURT

By: Elizabeth Kuhlman  
DEPUTY CLERK